

AMENDED IN ASSEMBLY MAY 27, 2004

AMENDED IN SENATE MARCH 26, 2004

SENATE BILL

No. 1163

Introduced by Senator Dunn

February 2, 2004

An act to amend Section 798.38 of the Civil Code and Section 739.5 of the Public Utilities Code, relating to utilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1163, as amended, Dunn. Utilities.

(1) The existing Mobilehome Residency Law requires the management of a mobilehome park, when the management provides master-meter and submeter service of utilities to a homeowner, to separately state the cost of the charges for the period along with the opening and closing readings of the meter.

This bill would require that, *for electricity and gas service*, the ~~statements bills described above be generally in accordance with the form and content of the bills that the utility, which serves the master meter of the park, provides to its residential customers~~ *include the identification of all rates and quantities attributable to each block on the applicable rate structure that would be applicable if the user were receiving gas or electricity, or both, directly from the gas or electrical corporation serving the master-meter customer.* The bill would also require the management to make specified disclosures if a 3rd party billing agent prepares utility billing for the park.

(2) Existing law requires that, when gas or electric service is provided by a master-meter customer to users who are tenants of a mobilehome park, apartment building, or similar residential complex,

the master-meter customer charge each user at the same rate which would be applicable if the user were receiving gas or electricity directly from the gas or electric company. Existing law creates further requirements for master-meter customers and for the corporations which provide service to them.

This bill would require the Public Utilities Commission to accept and respond to complaints concerning the requirements described above through the consumer affairs branch, in addition to any other staff that the commission deems necessary to assist the complainant.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 798.38 of the Civil Code is amended to
2 read:

3 798.38. (a) Where the management provides both
4 master-meter and submeter service of utilities to a homeowner, for
5 each billing period the cost of the charges for the period shall be
6 separately stated along with the opening and closing readings for
7 ~~his or her meter, generally in accordance with the form and content~~
8 ~~of the bills that the utility, which serves the master-meter of the~~
9 ~~park, provides to its residential customers. The management shall~~
10 *his or her meter. For electricity and gas service, the bills shall*
11 *include the identification of all rates and quantities attributable to*
12 *each block in the applicable rate structure that would be*
13 *applicable if the user were receiving gas or electricity, or both,*
14 *directly from the gas or electrical corporation serving the*
15 *master-meter customer. The management shall post in a*
16 *conspicuous place, the prevailing residential utilities rate schedule*
17 *as published by the serving utility.*

18 (b) If a third-party billing agent or company prepares utility
19 billing for the park, the management shall disclose on each
20 resident's billing, the name, address, and telephone number of the
21 billing agent or company.

22 SEC. 2. Section 739.5 of the Public Utilities Code is amended
23 to read:

24 739.5. (a) The commission shall require that, whenever gas
25 or electric service, or both, is provided by a master-meter customer
26 to users who are tenants of a mobilehome park, apartment

1 building, or similar residential complex, the master-meter
2 customer shall charge each user of the service at the same rate
3 which would be applicable if the user were receiving gas or
4 electricity, or both, directly from the gas or electrical corporation.
5 The commission shall require the corporation furnishing service
6 to the master-meter customer to establish uniform rates for
7 master-meter service at a level which will provide a sufficient
8 differential to cover the reasonable average costs to master-meter
9 customers of providing submeter service, except that these costs
10 shall not exceed the average cost that the corporation would have
11 incurred in providing comparable services directly to the users of
12 the service.

13 (b) Every master-meter customer of a gas or electrical
14 corporation subject to subdivision (a) who, on or after January 1,
15 1978, receives any rebate from the corporation shall distribute to,
16 or credit to the account of, each current user served by the
17 master-meter customer that portion of the rebate which the amount
18 of gas or electricity, or both, consumed by the user during the last
19 billing period bears to the total amount furnished by the
20 corporation to the master-meter customer during that period.

21 (c) An electrical or gas corporation furnishing service to a
22 master-meter customer shall furnish to each user of the service
23 within a submetered system every public safety customer service
24 which it provides beyond the meter to its other residential
25 customers. The corporation shall furnish a list of those services to
26 the master-meter customer who shall post the list in a conspicuous
27 place accessible to all users. Every corporation shall provide these
28 public safety customer services to each user of electrical or gas
29 service under a submetered system without additional charge
30 unless the corporation has included the average cost of these
31 services in the rate differential provided to the master-meter
32 customer on January 1, 1984, in which case the commission shall
33 deduct the average cost of providing these public safety customer
34 services when approving rate differentials for master-meter
35 customers.

36 (d) Every master-meter customer is responsible for
37 maintenance and repair of its submeter facilities beyond the
38 master-meter, and nothing in this section requires an electrical or
39 gas corporation to make repairs to or perform maintenance on the
40 submeter system.

1 (e) Every master-meter customer shall provide an itemized
2 billing of charges for electricity or gas, or both, to each individual
3 user generally in accordance with the form and content of bills of
4 the corporation to its residential customers, including, but not
5 limited to, the opening and closing readings for the meter, and the
6 identification of all rates and quantities attributable to each block
7 in the applicable rate structure. The master-meter customer shall
8 also post, in a conspicuous place, the applicable prevailing
9 residential gas or electrical rate schedule, as published by the
10 corporation.

11 (f) The commission shall require that every electrical and gas
12 corporation shall notify each master-meter customer of its
13 responsibilities to its users under this section.

14 (g) The commission shall accept and respond to complaints
15 concerning the requirements of this section through the consumer
16 affairs branch, in addition to any other staff that the commission
17 deems necessary to assist the complainant.

